

Official Minutes for Webb County Commissioners Court Meeting

Monday, August 11, 2003 at 1:30 P.M.

(Approved 09-08-2003)

- Item No. 1 Call to order by Judge Louis H. Bruni
Let it be remembered that a regular meeting of the Webb County
Commissioners Court was held at 1:30 p.m. at the regular meeting place with
the following members present to wit:

Louis H. Bruni	County Judge
Jerry Vasquez	Commissioner, Pct. 1
Judith Gutierrez	Commissioner, Pct. 2
Felix Velasquez	Commissioner, Pct. 3
David Cortez	Commissioner, Pct. 4

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 8 of August 2003. Present also were Ms. Nora Elia Prado, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

- Item No. 2 Roll Call – Margie Ramirez Ibarra, Webb County Clerk
- Item No. 3 Pledge of Allegiance – Led by Judge Louis H. Bruni
- Item No. 4 Approval of minutes – July 25, 2003 and July 28, 2003

Cmr. Vasquez stated that he had no corrections. Cmr. Gutierrez stated that she had not had the opportunity to review the minutes as they were submitted to her that morning. Judge Bruni advised Ms. Margie Ramirez Ibarra, Webb County Clerk, to submit the minutes to the Court no later than Thursday before the Commissioners Court meeting. Cmr. Velasquez stated that for the minutes of July 25, the cover page should show the meeting was held on a Friday, not a Monday. He also stated that Item No 16 should state that the balance on the account was \$74,500. He also stated that he requested a detailed report on a monthly basis on claims paid and a report on the clients serviced, not on a per client basis. He stated that he has not had the opportunity to review the minutes for July 28.

Cmr. Cortez motioned to take no action at this time and defer to next meeting. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Velasquez motioned to move up Item No. 17. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 17 Status report on the repairs needed at LIFE Downs caused by the June 2nd storm and other matters.

Ms. Belinda Guerra, Board of Directors President, Mr. David Ender, L.I.F.E. President and Ms. Dee Dee Martinez, Board of Directors member, came before the court to address Item No. 17. Ms. Guerra stated that there are 13 events that would have to be cancelled due to the damage at L.I.F.E. Downs. She stated that she would like for the area to be cleaned up and secured one area at a time. She stated that 16 steers have been purchased by youths participating in L.I.F.E. festivities in March and would not like for these monies to have gone to waste. Mr. Carlos Villarreal, Commissioners Court Executive Administrator, stated that there has been continuous dialogue with the insurance company and would be meeting with St. Paul on coverage for damages sustained. He stated that Ms. Juanita Puente, Risk Manager, submitted an addendum to the insurance company with some additional claims and would bring information to court as it became available. He stated that the adjuster has advised them to not do anything as it may compromise and possibly shortchange the County's benefits. He stated that he knows that some damages may not be covered but is hopeful that the majority will. Ms. Belinda Guerra stated that they have been asked by Ms. Puente to shut down but that they need to know if LIFE Downs would be covered or not so that they can make alternate arrangements if they are not covered. She stated that LIFE only has liability insurance. She is asking that the court at least secure the area so that they can open their doors again. Cmr. Cortez urged staff to get LIFE back in working order and will propose an allocation of \$100,000 in bond monies of LIFE improvements. Cmr. Gutierrez stated that it was an important program for youth but does not want to shortchange the claim monies that County may receive. She stated that some clean up could be done in-house and can possibly continue some events in non-compromising areas. Mr. Homero Ramirez, County Attorney, advised Court that this was a non-action item. He stated that by performing work in house could prejudice claims and would speak with Ms. Puente in regards to that. Mr. Carlos Villarreal, Commissioners Court Executive Administrator, stated that initial response from insurance company was that

LIFE would not be covered due it was not considered a County asset. He stated that he is working hard to get as many claims covered as possible and that St. Paul is currently evaluating the LIFE claim. Judge Bruni stated that he is concerned about the conditions at LIFE prior to the storm and advised them that the D. D. Hachar organization has offered acreage to LIFE for their use. Ms. Guerra stated that they want to secure some areas and move activities to secure areas due they need to open. She stated that not all events would be possible but would like for some areas to be available.

Comr. Velasquez motioned to move up Item No. 14. Comr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 14 Status report from Mr. Jim Frances, Consultant, on the 5th Bridge Project and the projected date of issuance of the Presidential Permit to the County of Webb.

Mr. Jim Francis, Francis Enterprises, stated that they have received a preliminary approval by the Texas Department of Transportation (TX DoT) and should have final approval by the end of the month. He stated application would then be forwarded to the State department in Washington, D.C. and Webb County would then need to submit a formal application and include department concerns. He stated that federal approval would take 60 to 90 days and would be finalized in November. He stated that the state department would then review the formal application. Mr. Frances stated that due to NAFTA (North American Free Trade Agreement) and increased trade traffic, the application process is shorter. He stated that there are 35 departments that must veto or approve the application before the Secretary of State can recommend the application to the President of the United States who then approves or denies the application. He stated that the application should come to head around January 1, 2004 with completion at midyear 2004. He stated that because of the desirability and the ability to grow and assist in additional funding makes the fifth bridge a good and necessary project. He stated that the state department may force mediation or settlement if need is great if city and county fight for ownership of the bridge. The state department may also choose neither until issue is worked out. Comr. Velasquez inquired as to whether department could force them to split the bridge 50/50 but Mr. Frances stated that it is un-chartered waters but that it was a possibility. Comr. Velasquez inquired as to whether the consultants' contracts could be cancelled if the issue between the city and county is forced and Mr. Francis replied that his contract could be terminated with a 30 day written notice but is unaware about the type of contract the

County has with the other consultants. He stated that the team of consultants that the County has contract have a lot of experience and are willing to change their course of action at the instruction of the court. Mr. Frances also stated that Mr. Steve Gibson is key at this step of the application and couldn't be terminated for the sake of the project. He stated that he believes that the political bodies must work together for the best interest of its citizens. Cmr. Gutierrez stated that she would like for consultants to remain in place until January 1, 2004 to continue application process and go from there. Judge Bruni stated that he would continue to try and work with the city once more and advise the court of the outcome so that they can figure out what step to take next. Cmr. Velasquez stated for the record that he wanted the consulting fees and consultants to be reshuffled to stop overspending and curtail spending. Cmr. Cortez stated that a decision must be made and would like for Judge Bruni to advise mayor of a need for a co-meeting between the City Council and the Commissioners Court to find out where they stand on a possible partnership. Judge Bruni stated that he would speak with the City Council and request an open meeting between them. Mr. Homero Ramirez, County Attorney, advised Court that this could be construed as taking action on recommendation made and approving action.

Item No. 5 Approval of bills, payroll and monthly reports

Mr. Leo Flores, County Auditor, presented the Auditor's Monthly report. Cmr. Velasquez suggested to the Court having the report presented at the first meeting of every month and discussing the report at the next meeting so that the court could have ample time to review and ask questions. Mr. Raul Casso, County Judge's Chief of Staff, stated that the proposed revenues for departments are annualized to the end of the year and totals reflect projected increase.

Cmr. Gutierrez motioned to approve Auditor's Report as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 6 Communications

Cmr. Gutierrez advised public that she attended a rally in Austin this past weekend to show her support in the actions taken by Senator Judith Zaffirini and the rest of the "Texas 11." She stated that it was important to recognize the senator's work and the sacrifices that she has made for standing up for her citizens. She stated that a resolution on behalf of the Commissioners Court should be sent to Governor Rick Perry to let him know that the

redistricting should be taken off the table. She stated that approximately 15,000 teachers or police officers could be hired with the monies being spent on special hearings. Cmr. Vasquez, Cmr. Velasquez and Cmr. Cortez stated that they would support a resolution to that effect if it came before the Court. Mr. Homero Ramirez, County Attorney, stated that he would prepare a resolution for the next meeting. Judge Bruni commended Senator Zaffirini for the fine job she has done and for the sacrifices that she has made to support something that she believes in.

Item No. 5 Approval of bills, payroll and monthly reports

Ms. Patricia Barrera, Tax Assessor Collector, presented to the Court her monthly report. She stated that \$256,579 was collected in Ad Valorem taxes with \$1.9 million outstanding. She stated that the collection rate is at 94%, one point lower than last year but stated that the tax levy was higher.

Cmr. Velasquez motioned to approve report as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 7 Public Comment

There was no public comment.

Item No. 8 Discussion and possible action by resolution of the Webb County Commissioners Court to call for the recall of the County's member on the Webb County Appraisal District Board of Directors and to cast all of Webb County's 932 votes to recall the County's member on the Webb County Appraisal District Board of Directors as per Section 6.033 of the Texas Property Tax Code.

Cmr. Velasquez motioned to approve item as submitted. Judge Bruni seconded the motion.

Mr. Homero Ramirez, County Attorney, advised Court that this item was to recall the current appointee and reinstate a replacement. He stated that Item No. 8 and No. 9 could be taken together. Cmr. Gutierrez stated that she had no preference for one member or another and stated that she would not be placed in the situation to have to pick one over the other. Cmr. Vasquez stated that he was removed from the Purchasing Board at the beginning of the year after only attending one meeting and stated that even

if he is removed from the Board, it would not deter him from fighting for what he believes is right.

Motion carried 3-1 with Cmr. Gutierrez abstaining and Cmr. Vasquez voting against.

- Item No. 9 Discussion and possible action by resolution of the Webb County Commissioners Court to nominate a candidate for the Webb County Appraisal District Board of Directors as a result of the recall of the County's member and to cast all of the Webb County's 932 votes for Commissioner Felix Velasquez as Webb County's new member to the Webb County Appraisal District Board of Directors for the remainder of the 2002-2003 term as per Section 6.033 of the Texas Property Tax Code.

Cmr. Vasquez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 10 Discussion and possible action on the approval of a resolution and order requesting financial assistance from the Texas Water Development Board; authorizing the filing of an application for assistance; and, making certain findings in connection therewith.

Addendum
Item No. 1

Discussion and possible action on the approval of a resolution by the Commissioners Court of Webb County, Texas requesting financial assistance from the Texas Water Development Board; authorizing the filing of an application for assistance; and making certain findings in connection therewith.

Cmr. Gutierrez motioned to approve Item No. 10 and Addendum Item No. 1 as submitted. Cmr. Velasquez seconded the motion with discussion.

Mr. Tomas Rodriguez, Engineering Department, stated that the bonds would be paid by the Utilities department. Mr. Carlos Villarreal, Commissioners Court Executive Administrator, advised Court that revenue bonds are not part of the Certificates of Obligation or Road and Bridge. He stated that the system would support debt service payments.

Motion carried 5-0 by unanimous consent.

Item No. 12 Status report on the Texas Water Development Board – Economically Distressed Area Programs.

Mr. Tomas Rodriguez, Engineering Department, stated that there are currently two projects that are being focused on. He stated that one in El Cenizo is on schedule and the HWY 359 project is 89% complete. He stated that all other projects have the design completed but there have been problems with right of way (ROW) acquisition. He stated that the County has received 713 ROW out of 1038 needed while the city has only acquired 5 of the 116, which were acquired by the County. He stated that Penitas is complete and pending connection of sewer.

Item No. 11 Discussion and possible action on an order authorizing publication of notice of intention to issue Certificates of Obligation and other matters related thereto.

Mr. Carlos Villarreal, Commissioners Court Executive Administrator, advised Court of the following CIP Projects approved at previous meeting totaling \$7.050 million with an additional \$2 million for Road & Bridge Improvements:

Cmrs. Court CIP Projects	\$2,500,000.00
Purchase of Tex-Mex Land & Building	\$1,500,000.00
Various Capital Outlay Purchases	\$1,000,000.00
5 th International Bridge Project	\$700,000.00
Rain Enhancement Project	\$700,000.00
ROW Acquisitions (Colonias) & Drainage	\$300,000.00
Carrizo Wilcox Aquifer	\$200,000.00
Casa Blanca Lake Dredging	\$200,000.00
Golf Course Improvements	\$ -0-
Defeasance of CRTC COPs	\$ -0-
Road & Bridge Road Improvements	\$2,000,000.00

Cmr. Cortez motioned to include \$300,000.00 for the golf course. Judge Bruni seconded the motion.

Motion carried 4-1 with Cmr. Vasquez voting against.

Cmr. Velasquez motioned to add an additional \$200,000.00 to Precinct 3 for the construction of a Community Center. Judge Bruni seconded the motion.

Cmr. Vasquez stated that he was opposed to these items because the money should not be spent just because its there. Cmr. Velasquez stated that every

precinct except Pct. 3 has a community center and believes that one is needed in Pct. 3 to enrich the lives of the elderly and the youth.

Cmr. Cortez motioned to fund \$100,000 to parks for LIFE improvements. If unable to, then monies should be divided equally among the Commissioners.

Mr. Homero Ramirez, County Attorney, advised the Court to have motion state that the \$100,000 is for improvements for county property designated for recreational use in the area of LIFE Downs.

Cmr. Cortez amended his motion to reflect above without LIFE Downs specifications. Cmr. Gutierrez seconded the motion.

Motion made by Cmr. Velasquez for additional funds for Pct. 3 carried 5-0 by unanimous consent.

Mr. Homero Ramirez, County Attorney, advised court that bond counsel recommended including LIFE Downs specification. Mr. Carlos Villarreal, Commissioners Court Executive Administrator, advised Court that monies could be moved to other projects via line item transfer if needed. Mr. Paul Martin stated that the general rule on Certificates of Obligation requires public notice of use for bonds and flexibility would allow monies from one project to be moved to another. Mr. Leo Flores, County Auditor, requested that the Court include additional funding for Capital Outlay.

Cmr. Cortez motioned to fund an additional \$350,000 for Capital Outlay. Cmr. Gutierrez seconded the motion.

Mr. Raul Casso, County Judge's Chief of Staff, stated that a review of the Capital Outlay requests would be made to make sure that equipment requested is truly needed.

Cmr. Cortez amended motion to allot the \$350,000 for vehicles and equipment at the discretion of the Sheriff's Department. Cmr. Gutierrez amended her second.

Motion carried 4-1 with Cmr. Vasquez voting against.

Amended list of Projects

Cmr's. Court CIP Projects	\$2,500,000.00
Purchase of Tex-Mex Land & Building	\$1,500,000.00
Various Capital Outlay Purchases	\$1,350,000.00
5 th International Bridge Project	\$700,000.00

Rain Enhancement Project	\$700,000.00
ROW Acquisitions (Colonias) & Drainage	\$300,000.00
Carrizo Wilcox Aquifer	\$200,000.00
Casa Blanca Lake Dredging	\$150,000.00
Golf Course Improvements	\$300,000.00
Pct. 3 Community Center	\$200,000.00
LIFE Downs improvements	\$100,000.00
Defeasance of CRTC COPs	\$ -0-
Road & Bridge Road Improvements	\$2,000,000.00
Total	\$10,000,000.00

Comr. Gutierrez motioned to accept amended list of projects. Comr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 13 Discussion and possible action to direct Webb County Chief of Staff, Raul Casso and Executive Administrator, Carlos Villarreal, to explore the current condition of the Webb County Jail, and to determine Webb County's requirements, if any, for additional Jail space occasioned thereby.

Comr. Gutierrez motioned to approve item as submitted. Comr. Vasquez seconded the motion.

Five Minute Break (4:04 p.m. – 4:21 p.m.)

Motion carried 5-0 by unanimous consent.

- Item No. 15 Discussion and possible action on modifying the existing operating agreement with Mr. Balt Ramos Inc. effective October 1, 2003 and for the remaining years on the existing contract.

Comr. Velasquez stated that this was not privatizing but a contract modification and that the savings from this modification would be used to fund the tax exemptions to the elderly and disabled. Mr. Balt Ramos, Balt Ramos, Inc., thanked the court for the monies allocated for golf course improvements. He stated that the modification would allow him to take over the maintenance of the golf course together with the business end as he is currently and splitting the revenues 50/50 with the County. He stated that this would allow one person to be in charge of operations and would streamline the department and allow the golf course to be run more efficiently. He stated that by allowing him to run the maintenance part as

well as the business end of the golf course, the golf course would run more efficiently, it would reduce county risk and liability and improve the quality of services. He stated that he has a hole-by-hole plan to improve the golf course and would spend approximately \$100-150 thousand over a period of 5 years. He stated that he would be willing to make larger improvements through loans if the county would be willing to take over debt service payments if his contract would expire or be terminated before the loan is paid off. He stated that he would submit a plan of action if requested. Cmr. Velasquez stated that having an additional surcharge on green fees set aside for improvements would also be an innovative idea. He stated that by running as a private business would allow him to trade services with other business, something a government entity cannot do. Mr. Homero Ramirez, County Attorney, recommended Executive Session to further discuss this and if approved, will meet with Mr. Ramos' attorney to discuss agreement.

Cmr. Velasquez motioned to defer item. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 16 Status report from the Road and Bridge Superintendent on the condition of the County Roads.

Mr. Jose Luis Rodriguez, Road & Bridge Superintendent, thanked court for the \$2 million that they had allotted for equipment and supplies. He stated that there are 46 County roads totaling 330 miles. HE stated that Wilson Road is the closest to the County seat and Withers Road is the farthest (79.6 miles). He stated that there are seven dirt roads, four semi paved and three caliche roads. He stated that he submits a monthly activity report and cost account report. He stated that it takes approximately \$175 - \$200 thousand for maintenance. He stated that it takes approximately 17 days to complete one mile of road in caliche and approximately \$104,000 for materials and labor. He stated that materials without rental come out to \$5,200.00. He stated that many roads are 2-3 feet below property and are not able to cross after rain. Cmr. Gutierrez requested a report on every road and the work performed and the type of road it is.

Judge Bruni advised Court that Item No. 28 would be deferred to the end of the meeting.

Mr. Homero Ramirez, County Attorney, requested that Item No. 21, No. 22, No. 23 & No. 26 be deferred to the next meeting.

- Item No. 21 Discussion and possible action to enter into a one (1) year "Texas Vine Grant Contract" agreement (August 11, 2003 through August 31, 2004) with the State of Texas, Office of the Attorney General, to pay Webb County for costs to be incurred by Webb County's participation in Texas Vine Program, a statewide crime victim notification services, in an amount not to exceed FIFTY TWO THOUSAND EIGHT HUNDRED AND FORTY THREE DOLLARS (\$52,843.00), and authorizing the Webb County Judge to execute all relevant documents. [Requested by Webb County Sheriff]
- Item No. 22 Discussion and possible action to enter into a one (1) year and two month service agreement (July 1, 2003 through August 31, 2004) with Appriss, Inc. to provide victim notification services ("Texas Vine" Program) at a cost not to exceed FIFTY-TWO THOUSAND EIGHT HUNDRED AND FORTY-THREE DOLLARS (\$52,843.00) and authorizing the Webb County Judge to execute all relevant documents. [Requested by Webb County Sheriff]
- Item No. 23 Discussion and possible action to designate and appoint Deputy Sheriff Humberto Villarreal as "Project Coordinator" and Raphael Pena, from Management Information System Department, Webb County's "Information Technology Contact" person for the Texas VINE Program. These individuals will coordinate the implementation of the Texas Vine Program for Webb County. [Requested by Webb County Sheriff]
- Item No. 26 Discussion and possible action to enter into an engineering contract with Sherfey Engineering Company, L.L.C. in the amount of THIRTY-EIGHT THOUSAND FOUR HUNDRED DOLLARS (\$38,400.00) for the design of water and wastewater yard lines for residences in the Colonias Old Milwaukee and Tanquecitos I and authorizing the County Judge to sign all relevant documents. [State Grant #721175]
- Cmr. Gutierrez motioned to defer Item No. 21, No 22, No. 23 and No. 26 be deferred. Cmr. Cortez seconded the motion.
- Motion carried 5-0 by unanimous consent.
- Item No. 29 Discussion and possible action to clarify and/or amend agreement with Ramon Garcia, P.C. concerning representation by Mr. Garcia of Webb County. On July 14, 2003, the Commissioner Court approved a contract of engagement with Mr. Garcia.

Mr. Homero Ramirez, County Attorney, stated that Mr. Garcia wanted the same termination clause extended to the Delinquent Tax Collection Attorney. He stated that the termination clause requested by Mr. Garcia would allow Mr. Garcia an opportunity to try and resolve any problems that the court has with his employment before he can be terminated. If the problem is solved, Mr. Garcia could not be solved. Judge Bruni stated that he did not believe that this precedence should not have been set.

Judge Bruni motioned to include a kill clause in the contract. Cmr. Cortez seconded the motion.

Motion failed 2-3 with Cmr. Vasquez, Cmr. Gutierrez and Cmr. Velasquez voting against.

- Item No. 18 Discussion and possible action to enter into a five (5) year (September 1, 2003 through July 31, 2008) commercial lease agreement with Jose Mario Flores concerning office lease space of approximately 4000 square feet located at 1701 East Hillside at a cost of FOUR THOUSAND DOLLARS (\$4,000.00) a month over the first year of the lease term and with a rental escalation provision of 3.9% per year over the next four years of the lease term, and authorizing the Webb County Judge to execute all relevant documents. [Account #903-4207-6012 Rent Requested by Webb County Head Start]
- Item No. 19 Discussion and possible action to accept a one (1) year (August 1, 2003 through July 31, 2004) grant award from the State of Texas, Office of the Governor – Criminal Justice Division (Juvenile Accountability Project), in the amount of THIRTY FIVE THOUSAND THREE HUNDRED AND THIRTY NINE DOLLARS (\$35,339.00)[Assistant County Attorney (\$24,244), Fringe (\$6,107), Project Supplies (\$4,988) with Webb County providing a cash match contribution of THREE THOUSAND FIVE HUNDRED AND THIRTY FOUR DOLLARS (\$3,534.00) of the overall grant, and authorizing the Webb County Judge to execute all relevant documents. [Grant Fund 153-1301; slot # 2080 Requested by County Attorney]
- Item No. 20 Discussion and possible action to enter into a equipment lease agreement with Kyocera Mita, Inc. for one (1) Kyocera Mita KM-5530 digital copier to be located at the Webb County Head Start office for a thirty-six month (7/02/03 through 7/01/06) lease in the amount of

TWO HUNDRED AND NINETY DOLLARS (\$290.00) per month for a total cost of TEN THOUSAND FOUR HUNDRED AND FORTY DOLLARS (\$10,440) over the lease term, and, authorizing the County Judge to execute all relevant documents. [903-4207-6014 Equipment Rental Requested by Head Start]

- Item No. 24 Discussion and possible action to consider and adopt a resolution and order authorizing and establishing a central counting station, at the Webb County Administration Building 1st floor conference room, to tabulate election ballots for the September 13, 2003 Constitutional Amendment election, and the appointment and compensation of the central station counting manager, a tabulation supervisor, and a central counting station judge. John Beckelhymer is appointed as the Central Counting Station Manager at NO salary, Eduardo Flores will be the tabulation supervisor compensated at a salary of \$350.00, and Armando X. Lopez will be the Central Counting Station Manager at a salary of \$75.00. [Account # 001-0107-6705 Election Expense]
- Item No. 25 Discussion and possible action to consider and adopt a resolution and order authorizing and establishing the salaries for temporary deputy early voting clerks and election day judges and clerks for the September 13, 2003 Constitutional Amendment Election with said salaries being \$7.50 per hour for early voting and election day judges and \$6.50 per hour for early voting and election day clerks. [Account # 001-0107-6705 Election Expense]
- Item No. 27 Discussion and possible action to accept by order the dedication of right-of-way from owners of property in various colonias for right of way and utility easements and authorizing the County Judge to sign all relevant documents.
- Cmr. Gutierrez motioned to approve Item No 18, No. 19, No. 20, No. 24, No. 25 and No. 27. Cmr. Cortez seconded the motion with discussion.
- Cmr. Cortez stated that the pay for voting clerks at the March primaries and November elections be raised due to the importance of those elections. Mr. Homero Ramirez, County Attorney, advised the Court that this was an election that was called for this year, not a regular election.
- Item No. 30 Discussion and possible action on the approval of a line item transfer in the amount of \$15,000 from account #001-1102-5001(Payroll-Public

Defender) to account #001-1120-6014(Equipment Rental-County Clerk \$9,000 and \$6,000 to account #001-1120-6005 (Postage-County Clerk).

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 31 Discussion and possible action to approve certification of Tax Roll. One hundred percent (100%) anticipated collection for FY 2004.

Item No. 32 Discussion and possible action to approve request for refund as recommended by the Tax Assessor-Collector as follows:

1. Chase Manhattan, Attn: Renee Roach, Tax Recovery
Reason: Over Payment
Total Refund: \$2,313.89

Cmr. Gutierrez motioned to approve Item No. 31 and No. 32 as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 33 Discussion and possible action on the approval of a line item transfer in the amount of \$1,000 from account # 001-1100-6403 (Repair and Maintenance Vehicles) to account # 001-1100-6205 (Materials and Supplies)

Item No. 34 Discussion and possible action to add a seized vehicle (1998 Nissan Maxima VIN: JNICA 21D8WT504040) to the District Attorney's Office.

Cmr. Gutierrez motioned to approve Item No. 33 and No. 34 with discussion. Cmr. Cortez seconded the motion.

Cmr. Gutierrez inquired as to who would be responsible for the possible repairs on seized vehicles and where those funds would come from. Mr. Jose Luis Rodriguez, Road & Bridge Superintendent, stated that motor pool manager checks out vehicle and gives an estimate of repairs that are needed. Judge Bruni recommended using seizure funds to repair seizure vehicles.

Cmr. Gutierrez amended motion to exclude Item no. 34. Cmr. Cortez amended second.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez motioned to defer Item No. 34. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 35 Discussion and possible action on the approval line item transfers in the amount of \$113,000 as follows:

FROM:

Account #001-1050-6018	Transcripts	\$ 25,000
Account #001-1050-6026	Visiting Judge	\$13,000
Account #001-1050-6029	Crt. Interpreter/Reporter	\$31,000
Account #001-1050-6713	Evaluation Services	\$19,000
Account #001-1050-6900	Expert Witness	\$9,000
Account #001-1050-6950	Investigation Expenditure	\$3,000
Account #001-1050-7000	Other Litigation Expense	\$13,000
	TOTAL:	\$113,000

TO:

Account #001-1050-6024	Appointed Attorney	\$ 25,000
Account #001-1050-7001	Indigent Defense	\$88,000
	TOTAL:	\$113,000

Correction should reflect that this item is for 341st District Court, not Clerk.

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 36 Discussion and possible action to approve Change Order #3 to the Caldwell Tanks, Inc. TCDP Contract #721859 – (Oilton Elevated Water Storage Tank) not to exceed the amount of Nineteen Thousand Dollars (\$19,000.00) to install a sand separator and 8" gate valve. (Account #653-8001-8701 Water Facilities)

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 37 Discussion and possible action on authorizing the submission of an application to the Corporation for National and Community Service for an AmeriCorps Vista Program. Project will include grant funds for 15 volunteer positions for a 1 year period of service, October 2003 to September 2004 with potential for an additional 2 years with satisfactory performance for the purpose of homeland security and assisting senior citizens in poverty. Potential worksite partners may include:

Webb County Community Action Agency	8 Positions
South Texas Development Council (Area Agency on Aging)	1 Position
Border Area Nutrition Council (BANC)	1 Position
American Red Cross	1 Position
Sheriff's Department	1 Position
County Engineering Department	1 Position
El Aguila Transportation Program	1 Position
Laredo Regional Food Bank	1 Position

The County will provide \$76,000 in In-Kind as a local project match.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Mr. Juan Vargas, Economic Development, stated that the in-kind match would be the employee supervision provided by those departments. He stated that no monetary match was necessary.

Motion carried 5-0 by unanimous consent.

- Item No. 38 Discussion and possible action authorizing a resolution requesting \$4,000,000 additional funding from the Texas Water Development Board (TWDB) for the Economic Distressed Areas Program (EDAP) for El Cenizo and Rio Bravo.
- Item No. 39 Discussion and possible action authorizing to amend the existing contract with CH2M Hill Inc. (Engineer) from \$1,044,000 to \$1,144,000. [610-8006-6023-6 and 648-8006-6023-6 Contract Services Design Phase Engineering Rio Bravo Capital Project and TWDB EDAP Water Project]

Cmr. Vasquez motioned to approve Item No. 38 and No. 39 as submitted.
Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 40 Discussion and possible action on the approval of line item transfer in the amount of \$10,000 from account #001-1301-5001 (Payroll) to account #001-1301-6401 (Repair and Maintenance of Building).

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 41 Discussion and possible action to fill the following slots effective August 11, 2003:

Slot #2033	AA Teacher	(40 hrs/week for 10 months)	at \$19,582
Slot #1905	CDA Teacher	(40 hrs/week for 10 months)	at \$18,372
Slot #1040	Teacher Aide	(40 hrs/week for 10 months)	at \$13,960
Slot #1350	Teacher Aide	(40 hrs/week for 10 months)	at \$13,960
Slot #1613	Teacher Aide	(40 hrs/week for 10 months)	at \$13,960
Slot #1084	Bus Driver	(40 hrs/week for 10 months)	at \$15,893
Slot #1088	Bus Driver	(40 hrs/week for 10 months)	at \$15,893

- Item No. 42 Discussion and possible action to issue "Certifications Regarding compliance with Plat Requirements and the Connection of Utilities" to authorize utility connections to the following properties:
Connection(s) qualifying under Section 232.029 (i);
1. Lot 56, Ranchitos Los Mesquites subdivision, (Electricity-one dwelling only);
2. Tract 71, Tanquecitos south Acres Subdivision, (Electricity-one dwelling only).

- Item No. 43 Discussion and possible action to authorize the purchasing agent to solicit bids for one (1) type III bus for the Community Action Agency Transportation Department. [Account # 980-8001-8801 Capital Outlay]

Cmr. Vasquez motioned to approve item No. 41, No. 42 and No. 43 as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 44 Discussion and possible action to authorize the Purchasing Agent to purchase ONE HUNDRED AND THIRTY FOUR (134) child restrain harness from One Stop Bus Stop, Inc. for the Head Start Department in the amount of \$10,184.00. [Account # 903-4207-6403 Repair Maintenance Vehicles]
- Item No. 45 Discussion and possible action to authorize the Purchasing Agent to purchase two (2) playground structures from Kaplan in the amount of \$9,481.00 for the Head Start Department. [Account #903-4207-6225 Play Ground Supplies]
- Item No. 46 Discussion and possible action to authorize the Purchasing agent to purchase educational products from Lakeshore Learning Materials in the amount of \$16,175.40. [Account #903-4207-6069 Classroom Supplies]
- Item No. 48 Discussion and possible action to authorize payment to J. Starr Construction Company in the amount of \$17,424.00 for the Casa Blanca Golf Course (Cart Barn). [Account # 001-0105-6032-04 Storm Damage]
- Item No. 49 Discussion and possible action to authorize the purchase of services and material for the Casa Blanca Golf Course from Professional Golf Service in the amount of \$24,787.00 and Osburn Materials, Inc., in the amount of \$15,240.00. [Account #001-6001-6205 Material and Supplies]
- Item No. 50 Discussion and possible action to authorize the purchase of McAfee Active Defense Licenses (AVD) and support from SHI Government Solutions (State Contract #122-369-5478-500) through Texas DIR Rates for Management Information System Department in the amount of \$20,019.96. [Account #001-0500-6402 Repair and Maintenance Equipment]

- Item No. 51 Discussion and possible action to authorize the purchase of the following equipment from Dell in the amount of \$96,781.08:
1. (64) M42 Intel Pentiums
 2. (12) A50 Intel Pentium
 3. (1) R40 Edu Intel Pentium (Complete Computers System)
 4. (8) Printers with cables
- [Account #149-1305-8801 Capital Outlay for the Juvenile Justice Alternative Education Program]

Cmr. Vasquez motioned to approve Item No. 44, No. 45, No. 46, No. 48, No. 49, No. 50, and No. 51. Cmr. Gutierrez seconded the motion.

Mr. Eloy Ramirez, Purchasing Agent, advised Court that there was a correction on Item No. 45. He stated that the total for that purchase would be \$8,214.24 and would be purchased from Sports & Recreational Products instead of Kaplan.

Motion carried 5-0 by unanimous consent.

- Item No. 47 Status Report on the insurance related items caused by June 2, 2003 storm.

Cmr. Vasquez motioned to defer Item No. 47. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 52 Discussion and possible action on the approval of the following line item transfers:

FROM:
Account #001-6105-6204 Fuel & Lubricants \$500

TO:
Account #001-6105-6205 Material & Supplies \$500
(Rio Bravo Community Center)

FROM:
Account #001-6101-6204 Fuel & Lubricants \$500

TO:
Account #001-6101-6205 Material & Supplies \$500
(El Cenizo Community Center)

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 53 Discussion and possible action to fill slot #1989 (Receptionist) at a rate of \$8.48 an hour effective August 11, 2003.

Cmr. Cortez motioned to table Item No. 53. Cmr. Vasquez seconded the motion.

Motion carried 4-1 with Cmr. Gutierrez voting against.

Item No. 55 Discussion and possible action to award contract for RFP 2003-14 for a Managed Care Health Plan, Managed Drug Plan and Group Life and Accidental Death & Dismemberment Plan.

Cmr. Gutierrez motioned to defer Item No. 55. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 56 Discussion and possible action to fill slot #647 (Secretary D.P.S.) at \$11.54 per hour, effective August 11, 2003.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Cmr. Vasquez retracted his second.

Cmr. Velasquez seconded Cmr. Gutierrez's motion.

Motion carried 3-2 with Cmr. Vasquez and Cmr. Cortez voting against.

Cmr. Velasquez stepped out.

Cmr. Gutierrez motioned to move into Executive Session to discuss Item No. 28 and No. 54. Cmr. Vasquez seconded the motion.

Motion carried 4-0 with Cmr. Velasquez not present for voting.

Executive Session (5:08 p.m. to 5:29 p.m.)

Judge Bruni reconvened the meeting and stated that no action was taken while in Executive Session.

- Item No. 28 Discussion and possible action regarding the purchase of Lots 1,2,3,4 and the South ½ of the lots 5 and 6, Blk 197, W.D., City of Laredo, (Tex-Mex property). [Closed Session requested pursuant to Government Code Title 5, Subchapter D, Sec. 551.071 (Consultation with Attorney) and 551.072 (Deliberation Regarding Real Property)]

Mr. Nathan Bratton, Assistant County Attorney, recommended negotiation along the discussion in Executive Session.

Cmr. Gutierrez motioned to continue negotiations along the discussion in Executive Session. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 54 Discussion and possible action regarding claim of the El Cenizo Community Center for property damage and burglary incurred to the center property, which occurred on or about June 29, 2003 [Executive session is requested pursuant to Title 5, Subchapter D, Section 551.071 of the Texas Government Code (Consultation with Attorney)]

Mr. Nathan Bratton advised court that no action was required on Item No. 54. Mr. Homero Ramirez, County Attorney, stated that Court instruct Risk Management department to replace items that can be replaced or reimbursed for those that can't be replaced. Cmr. Velasquez stated that it would be the two claims for \$5331.66 and \$213.24 discussed in Executive Session.

Cmr. Gutierrez motioned to replace or reimburse as per discussions in Executive Session. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 57 Adjournment

Cmr. Gutierrez motioned to adjourn meeting. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.